

EFFECTIVE

May 1, 2018.

Subject(s)

1. Probation and Parole Violators.
2. Drug-Related Felony.
3. Absconding.

1) Probation and Parole Violators**BEM 203****FIP, RCA, SDA**

A person who is violating a condition of probation or parole imposed under a federal or state law is disqualified.

The person is disqualified as long as the violation occurs.

A person is considered to be violating probation or parole if the Michigan Department of Health and Human Services (MDHHS) is made aware by law enforcement or Michigan Department of Corrections (MDOC) that the individual is in violation of a condition of probation or parole imposed under federal or state law.

FAP

A person is disqualified because of a probation or parole violation if all the following conditions are met:

- MDHHS verifies with law enforcement, the courts or the MDOC that the individual is found to be violating a condition of probation or parole imposed under federal or state law.
- The individual is absconding from supervision; see BPG Glossary for definition of absconding.
- Federal, state, or local law enforcement, or Michigan Department of Corrections authorities are actively seeking the individual to enforce the conditions of the probation or parole.
- Actively seeking means one of the following:
 - A Federal State, or local law enforcement agency informs MDHHS that it intends to enforce an outstanding felony warrant or to arrest an individual for a probation or parole

violation within 20 days of submitting a request for information about the individual to MDHHS.

- A Federal, State or local law enforcement agency presents a felony arrest warrant or to arrest an individual for a probation or parole violation within 20 days.
- A Federal, State, or local law enforcement agency states that it intends to arrest an individual for a probation or parole violation within 30 days of the date of a request from MDHHS about a specific probation or parole violation.

If the law enforcement agency indicates it does intend to arrest the individual for the probation or parole violation within 20 days of the contact with MDHHS or 30 days of the date of the MDHHS's request for information, MDHHS will postpone taking any action on the case until the appropriate 20 or 30 day period has expired.

Once the 20 or 30 day period has expired, MDHHS shall verify with the law enforcement agency whether it has attempted to arrest the probation or parole violator. If it has, MDHHS shall take appropriate action to deny an applicant or terminate an individual who has been determined to be a probation or parole violator. If the law enforcement agency has not taken any action within 20 or 30 days, MDHHS will not consider the individual a probation or parole violator.

The person is disqualified as long as the violation occurs and until the Michigan Department of Corrections notifies MDHHS the individual is no longer absconding or until Federal, State or local law enforcement is no longer actively seeking the individual.

Any disqualification will only be entered by central office staff.

Reason: State and federal law change.

2) Drug-Related Felony

BEM 203

FIP, RCA and FAP

A person is disqualified for a drug-related felony if the qualifying conviction is for conduct which occurred after August 22, 1996.

Reason: State law change.

3) Absconding**Glossary**

The definition of Absconding was added to the glossary.

Reason: New definition.

**MANUAL
MAINTENANCE
INSTRUCTIONS**

Changed Items ...

[BEM 203](#)

[BPG GLOSSARY](#)